

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
June 17, 2008

The City Council convened in Regular Session on Tuesday, June 17, 2008, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Jerry Reese, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Bob Kneemiller, Larry Muench, and Ron Stivison. Absent: Michael Klinghammer, Richard Veit, and Michael Weller. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #46844

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

A motion was made by LAURIE FELDMAN to excuse the absences of Councilmembers Michael Klinghammer, Richard Veit, and Michael Weller. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

ADMINISTRATIVE HEARING

The President of the Council Jerry Reese announced that the following Administrative Hearing would now be held. At the conclusion of the hearing, the Regular Session continued with the order of business:

- A. Administrative hearing to consider an appeal of a decision of the Landmarks Board to deny a request to demolish the structure located 128 North Fifth Street.

RESOLUTIONS/AWARDS/PROCLAMATIONS

A Resolution Declaring Six (6) Motor Vehicles Assigned to the Police Department as Surplus Property and Authorizing the Disposal of the Vehicles (*Sponsor: Jerry Reese*)
President of the Council Jerry Reese stated that the Lewis & Clark Career Center inquired whether the City has vehicles which could be donated to their center for its medical program; and requested that the inquiry of the Lewis & Clark Career Center be considered at the time that additional vehicles are declared surplus. A roll call vote was taken, with the following results:

Passed "Aye": Feldman, Kneemiller, Muench, Reese, Stivison, Beckering, and
 Ermeling
 "Nay": None
 Absent: Klinghammer, Veit, and Weller

Approved by the Honorable Mayor on June 18, 2008, and is known as **Resolution R08-17**

A Resolution Directing the Office of the City Attorney to Initiate Legal Action to Procure Disbursement of Impounded Protested Taxes (*Sponsor: Jerry Reese*)

A roll call vote was taken, with the following results:

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Beckering, Ermeling, and
 Feldman
 "Nay": None
 Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 18, 2008, and is known as **Resolution R08-18**

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A Resolution Authorizing the City of Saint Charles, Missouri to Apply for a Preserve America Grant and Authorizing the Mayor and City Clerk to Sign all Necessary Documents on Behalf of Applicant (*Sponsors: Larry Muench, Jerry Reese, and Ron Stivison*)

A roll call vote was taken, with the following results:

Passed “Aye”: Kneemiller, Muench, Reese, Stivison, Beckering, Ermeling, and Feldman

 “Nay”: None

 Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 18, 2008, and is known as **Resolution R08-19**

PUBLIC COMMENT RELATIVE TO CITY ISSUES

Approval of a Conditional Use Permit for the Purpose a Vehicle Restoration/Body Shop with Associated Pain Booth at 2239 North Third Street

Pat Crabtree, 2239 North Third Street, spoke in favor of the Conditional Use Permit.

A motion was made by DAVE BECKERING to advance *Council Bill 9671 Amending Section 156.033 and Section 156.034 of the Code of Ordinances Pertaining to Conditional Uses in the General Business District and Highway Business District and Item 8.G.1. Approval of a Conditional Use Permit for the Purpose a Vehicle Restoration/Body Shop with Associated Pain Booth at 2239 North Third Street* on the agenda. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

Bill 9671 (Amended)

An Ordinance Amending Section 156.033 and Section 156.034 of the Code of Ordinances Pertaining to Conditional Uses in the General Business District and Highway Business District (*Sponsors: Richard Veit & Larry Muench*)

A roll call vote was taken on Council Bill 9671, with the following results:

Passed “Aye”: Muench, Reese, Stivison, Beckering, Ermeling, Feldman, and Kneemiller

 “Nay”: None

 Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-123**

Consent Agenda Item 8.G.1. Approval of a Conditional Use Permit for the Purpose of a Vehicle Restoration/Body Shop with Associated Paint Booth at 2239 North Third Street

A motion was made by DAVE BECKERING to approve the conditional use permit for the purpose of a Vehicle Restoration/Body Shop with Associated Paint Booth at 2239 North Third Street, with the following conditions:

1. The conditional use permit is issued for the property at 2239 North Third Street only and is not transferable to another location.

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2. No exterior storage of any equipment or unlicensed/inoperable vehicles shall be permitted on this site for this business, except as permitted by ordinance.
 3. A separate sign permit is required for all proposed signage on the property.
 4. General business hours are listed as Monday-Saturday 8:00 a.m. to 5:30 p.m.
 5. All Code Enforcement issues shall be addressed prior to issuance of an Occupancy Permit for the business.
 6. Submit a layout plan and details to the Community Development Department prior to review by the City Council for the following items:
 - a. Paving of existing parking lot and drive aisles
 - b. Parking space striping (to include handicap space) for employees and customers
 - c. Landscape plan between the existing building and the adjacent residential area and at the northeast corner near the intersection of both roads).
 - d. Provide a six (6) foot sight-proof fence along the west property line of the alley in the event the alley is vacated and that additional property is acquired.
 7. If necessary, this conditional use permit may be revoked under Section 156.248 (E)(6) of the Zoning Ordinance.
 8. Compliance with Items 6(a) and 6(d) above shall be completed within six months.
- LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Reese, Stivison, Beckering, Ermeling, Feldman, Kneemiller, and Muench. "Nay": None. Absent: Veit, Weller, and Klinghammer. Motion passed.
File #46856

BILLS FOR FINAL PASSAGE

Bill 9633 (*Supplemental RCA*) (*Held*)

An Ordinance Authorizing a Contract with Coe Equipment, Inc. for the Purchase of One (1) 2009 International 7400 SBA 4x2, 41,000 lb. G.V.W.R. Single-Axle Sewer Cleaning Vacuum Truck in an Amount Not to Exceed \$258,657.00 (*Sponsor: Jerry Reese*)

Discussion was held relative to the bids received for the purchase of the vacuum truck; and the process to re-bid the purchase. It was the consensus of the Council to re-bid the purchase of the vacuum truck; and to hold Council Bill 9633 pending receipt of the new bids.

Bill 9637 (*Held*)

An Ordinance Amending Chapter 33 of the Code of Ordinances of the City of St. Charles, Missouri Pertaining to Boards, Commissions and Committees by Creating Two New Sections to be Known as Sections 33.205 and 33.206 Establishing Oktoberfest Area, Committee and Rules and Regulations (*Sponsors: Michael Klinghammer and Richard Veit*)

A motion was made by LARRY MUENCH to hold Council Bill 9637. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

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Bill 9653 (Held)

An Ordinance Authorizing a Contract with Gershenson Construction Company, Inc. for the River Observation Platform Project in an Amount Not to Exceed \$118,242.00

(Sponsor: Jerry E. Reese)

Council Bill 9653 was held by Sponsor Jerry Reese upon the request of Mayor Patricia M. York.

Bill 9658 (Amended) (Held)

An Ordinance Authorizing a Cooperation Agreement By and Between the City of St. Charles and ShowMe Aquatics & Fitness for the Financing, Construction Operation and Management of a Community Center (Sponsors: Erv Ermeling, Laurie Feldman, Michael Klinghammer, Bob Kneemiller, Larry Muench, Jerry Reese, Ron Stivison, Richard Veit, and Michael Weller)

A motion was made by BOB KNEEMILLER to hold Council Bill 9658. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

Bill 9664

An Ordinance Authorizing The Appropriation of Not To Exceed \$510,000 For The Purpose Of Defeating a Portion of The General Obligation Refunding Bonds, Series 2006 of The City of Saint Charles, Missouri; and Authoring Certain Other Document and Actions in Connection With The Defeasance of Said Bonds (Sponsor: Jerry Reese)

Passed "Aye": Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese

"Nay": None

Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 17, 2008, and is known as **Ordinance 08-117**

Bill 9665

An Ordinance Annexing Certain Adjacent Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Lands Petitioned for Annexation by Donnell and Cindy Jo Kottman (812 Pralle Lane) (Sponsor: Laurie Feldman)

Passed "Aye": Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese

"Nay": None

Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-118**

Bill 9666

An Ordinance Authorizing a Recoupment and Cooperation Agreement Between the City of St. Charles and SCGC Development, LLC for the Construction of Fairgrounds Road in an Amount not to Exceed \$985,181.00 (Sponsor: Laurie Feldman)

A separate vote was taken on Council Bill 9666, with the following results:

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Passed “Aye”: Ermeling, Feldman, Kneemiller, Muench, Reese, and Stivison
 “Nay”: Beckering
 Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 27, 2008, and is known as **Ordinance 08-131**

Bill 9667

An Ordinance Approving the Record Plat for East Hiram Street Condominiums Plat Five, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese
 “Nay”: None
 Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-119**

Bill 9668

An Ordinance Rezoning to Zoning District O-I (Office Institution District) from Zoning Districts C-1 (Neighborhood Business District) and C-2 (General Business District) Two Tracts of Land Being Part of a Larger 50 Acre Parcel Adjacent to Lindenwood University (*Sponsor: Ron Stivison*)

Passed “Aye”: Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese
 “Nay”: None
 Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-120**

Bill 9669

An Ordinance to Authorize Application with the Missouri Department of Transportation, Highway Safety Division, for the Local Law Enforcement Grant Program for the Period October 1, 2008 through September 30, 2009 for Five Grants; Authorize Acceptance of Grant Funds; and Authorize Execution of All Necessary Documents and Performance of all Acts to Accept and Receive the Grants (*Sponsor: Jerry E. Reese*)

Passed “Aye”: Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese
 “Nay”: None
 Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-121**

Bill 9670

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Diekamp Lane Reconstruction Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsor: Bob Kneemiller*)

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Passed "Aye": Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese
"Nay": None
Absent: Veit, Weller, and Klinghammer
Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-122**

Bill 9672

An Ordinance Amending the Development Agreement for Fountainview, the Multi-Family Residential Portion of the Mixed Use Development Known as Brighton Park
(Sponsor: *Jerry Reese*)

Passed "Aye": Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese
"Nay": None
Absent: Veit, Weller, and Klinghammer
Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-124**

Bill 9673

An Ordinance Suspending the Prohibition Against Drinking in Public Places as to Beer and Wine at the Location and During the Hours of Operation of the Mosaics Festival
(Sponsors: *Ron Stivison and Richard Veit*)

Passed "Aye": Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese
"Nay": None
Absent: Veit, Weller, and Klinghammer
Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-125**

Bill 9674

An Ordinance Amending Chapter 33 of the Code of Ordinances of the City of St. Charles, Missouri by Creating a New Subchapter, Consisting of Six New Subsections, to be known as Sections 33.320, 33.321, 33.322, 33.323, 33.324 and 33.325, Pertaining to the Establishment and Operation of a Human Relations Commission (Sponsors: *Laurie Feldman & Richard Veit*)

Passed "Aye": Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese
"Nay": None
Absent: Veit, Weller, and Klinghammer
Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-126**

Bill 9675 (Held)

An Ordinance Approving the First Amended Condominium Plat of The Boulders at Katy Trail Condominium, a Subdivision of the City of Saint Charles, Missouri (Sponsor: *Laurie Feldman*)

Councilmember Laurie Feldman requested that Director of Community Development Bruce

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Evans contact the Developer Bruce Mills to request that a larger receptacle area be provided to allow for recycling. Council Bill 9675 was held by Sponsor Laurie Feldman.

Bill 9676

An Ordinance Amending Section 150.002 of the Code of Ordinances Relative to Stop Work Orders (*Sponsor: Bob Kneemiller*)

Passed "Aye": Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese

"Nay": None

Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-127**

Bill 9677

An Ordinance Authorizing an Aquatic and Recreational Facilities Inspection Agreement with St. Charles County to Provide Enforcement of the Aquatic and Recreational Facilities Code within the City of St. Charles (*Sponsors: Jerry Reese and Laurie Feldman*)

Passed "Aye": Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese

"Nay": None

Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-128**

Bill 9678

An Ordinance Amending Chapter 95 of the Code of Ordinances of the City of St. Charles, Missouri, by Enacting a new Section to be Known as Section 95.10, Pertaining to the Display of Address Signs or Placards on Residential Properties (*Sponsor: Jerry Reese*)

Passed "Aye": Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese

"Nay": None

Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-129**

Bill 9679

An Ordinance Authorizing a Contract with Pierce Manufacturing, Inc. c/o Schuhmacher Fire Equipment LLC for the Purchase of One (1) 75 Foot Aerial Ladder Truck in an Amount Not to Exceed \$736,671.00 (*Sponsor: Jerry Reese*)

Passed "Aye": Stivison, Beckering, Ermeling, Feldman, Kneemiller, Muench, and Reese

"Nay": None

Absent: Veit, Weller, and Klinghammer

Approved by the Honorable Mayor on June 18, 2008, and is known as **Ordinance 08-130**

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Bill 9680 (Failed)

An Ordinance Amending Ordinance Number 07-316 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2008 (Budget Amendment #4) (*Sponsor: Jerry Reese*)

Councilmember Dave Beckering requested that Council Bill 9680 be referred to a Council Work Session for further discussion voicing concern that the sidewalk project included in the Budget Amendment was for Hawthorn Avenue rather than Ridgeview. Mayor Patricia M. York explained that the Hawthorn Avenue Sidewalks were included in the Budget Amendment because there was sufficient funding to complete the Hawthorn Avenue Sidewalks, but was not sufficient for the Ridgeview Sidewalks. Mayor York suggested that the Council consider the budget amendment as proposed and that adjustments could be made internally as to the location of the sidewalks. A separate vote was taken on Council Bill 9680, with the following results:

Failed “Aye”: Feldman, Kneemiller, Muench, Reese, and Stivison

 “Nay”: Beckering and Ermeling

 Absent: Weller, Klinghammer, and Veit

Council Bill 9680 failed passage.

File #46845

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 9681

An Ordinance Approving an Administrative Regulation Relating to Towing Services (*Sponsor: Bob Kneemiller*)

Bill 9682

An Ordinance Repealing Ordinance 08-08 and Enacting a New Ordinance Authorizing a Public Works Mutual Aid Agreement By and Between the City of St. Charles and Other Municipalities and Political Subdivisions to Provide Mutual Aid Relating to Emergency Preparedness, Response and Recovery in the Event of a Natural Disaster or Emergency Condition (*Sponsor: Bob Kneemiller*)

Bill 9683

An Ordinance Approving the Record Plat for Elm Point Commons Plat Two, a Subdivision in the City of St. Charles, Missouri (*Sponsor: Michael Klinghammer*)

Bill 9684

An Ordinance Approving the Record Plat for Boonslick Medical, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Larry Muench*)

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Bill 9685

An Ordinance Amending Chapter 40 of the Code of Ordinances by Amending Section 40.03 Pertaining to Contract Procedures (*Sponsor: Jerry Reese*)

CONSENT AGENDA

Councilmember Bob Kneemiller removed *Item 8.E.4. Contract with CBB (Crawford, Bunte, Brammeier) to Complete a Comprehensive Central Business District Parking Study in the Amount of \$72,830.00* from the Consent Agenda. *Item 8.G.1 Approval of a Conditional Use Permit for the Purpose of a Vehicle Restoration/Body Shop with Associated Paint Booth at 2239 North Third Street* was removed from the Consent Agenda previously and advanced on the agenda as reported on Pages 151 and 152 of this record. Vice President of the Council Larry Muench removed *Item 8.G.6 Approval of Liquor License Application for Nicholas K. Hamilton dba Lloyd & Harry's Located at 208 North Main Street* from the Consent Agenda. A motion was made by LARRY MUENCH to receive and approve the balance of the Consent Agenda. DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Beckering, Ermeling, Feldman, Kneemiller, Muench, Reese, and Stivison. "Nay": None. Absent: Klinghammer, Veit, and Weller. Motion passed.

A. Approval of Council Minutes

1. Regular Council Meeting of June 3, 2008
2. Public Hearing of June 3, 2008

File #46846

B. Receipt and/or Approval of Council Committee Reports

1. Convention Center Oversight Meeting of March 24, 2008

File #46777

2. Council Work Session of May 27, 2008

File #46725

3. Grant Review Committee Meeting of June 3, 2008

a. Approval of the Following Grants for Fiscal Year 2008

- i. Boone Center, Inc. - \$1,850
- ii. Create, Inc. (Leftovers) - \$4,500
- iii. Connections to Success - \$2,000
- iv. Frenchtown Heritage Museum - \$1,000
- v. Lewis & Clark Boat House and Nature Center - \$4,000
- vi. Lewis & Clark Fife & Drum - \$2,500
- vii. Loaves and Fishes - \$1,500
- viii. St. Charles Sister Cities - \$3,400
- ix. Sts. Joachim & Ann Care Center - \$4,000
- x. Volunteers in Medicine - \$2,000
- xi. Youth in Need - \$2,000

File #46734

4. Towing Committee Meeting of June 3, 2008

File #46721

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C. Receipt of Reports from Boards, Commissions or Committees

1. Cable Television Commission Meeting of May 7, 2008

- a. Motion that the City Channel Logo be Modified to Reflect the Change in Channel Number
- b. Motion that the Chairman Contact Other Cable Government Access Channels to Explore Options for Coordinated Actions Which Might Lead to Maintaining These Channels Free and Accessible to Citizens

File #46819

2. Greater St. Charles Convention & Visitors Commission Meeting of February 26, 2008

- a. Approval of the January Financial Report
- b. Approval of the Following Advertising/Public Relations Contracts:
 - i. Oprah Magazine – may Issue
 - ii. St. Louis County Living
 - iii. KTRS Radio (St. Louis Cardinal's Station)

File #46808

3. Greater St. Charles Convention & Visitors Commission Meeting of March 27, 2008

- a. Approval of the February Financial Report
- b. Approval of the Following Advertising/Public Relations Contracts:
 - i. Small Market Meetings
 - ii. Where Magazine
 - iii. IMG Travel Resource Guide
 - iv. Sponsorship USSSA Softball Tournament
 - v. Sponsorship Archaeological Dig
 - vi. Embassy Suites – Spring FAM
- c. Approval for TTN to Produce the Walking Tour and Expenditure for the Production

File #46808

4. Greater St. Charles Convention & Visitors Commission Meeting of April 24, 2008

- a. Approval of the March Financial Report
- b. Approval of the Following Advertising/Public Relations Contracts:
 - i. Midwest Meeting
 - ii. Better Homes & Gardens
 - iii. Sports Travel
 - iv. KDNL
 - v. Sponsorship for Missouri Valley Conference
 - vi. Hole Sponsorship at SLAMPI/H SMAI
 - vii. St. Louis Post Dispatch
 - viii. Lee Enterprises

File #46808

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5. Arts and Culture Commission Meeting of May 12, 2008
- a. Approval of the Following Grant Funding for 2008
 - i. Fete de Glace' Ice Festival 2009 - \$6,000
 - ii. Crescendo Concert Season - \$5,000
- File #46751
6. Special Business District Advisory Board Meeting of April 3, 2008
- a. Motion to Place \$35,000 in the Budget for "Improvements and Maintenance" and \$30,000 in the Budget for "Promotions"
 - b. Motion to Support Approval of the Sidewalk Café Ordinance with the Provision that the Landmarks Board Approve Proposals
- File #46818
7. Veterans Commission Meeting of April 14, 2008
- File #46809
8. Veterans Commission Meeting of May 12, 2008
- File #46809
9. Planning and Zoning Commission Meeting of April 28, 2008
- File #46762
10. Board of Public Works Meeting of April 10, 2008
- a. Motion to Recommend Repair of the North Main Sanitary Sewer as Soon as Possible
 - b. Motion to Proceed with RFQ for a Professional Service Contract for Maintenance of all the Water Storage Tanks
- File #46765
11. Landmarks Board Meeting of April 21, 2008
- File #46779
- D. Receipt of Reports of the Director of Administration
- 1. Discussion Relative to the Strategic Planning Process and the Upcoming Community Dialogue Sessions
- Director of Administration Michael Spurgeon invited the public to attend the upcoming Community Dialogue Sessions scheduled for June 25, 2008, at Memorial Hall, 7:00 p.m. – 9:00 p.m., and June 30, 2008, at Harris Elementary School, 7:00 p.m. – 9:00 p.m. Councilmember Laurie Feldman suggested that the Councilmembers place a notice on their Web Pages encouraging residents to attend the Community Dialogue Sessions.
- File #46847
2. Notice of Emergency Purchases
- File #46711
- E. Approval of Contracts and Easements from \$30,000 - \$99,999
- 1. Contract with Nelson System, Inc. for Replacement Voice Recording System (Including Installation) at the Police Department in an Amount no to Exceed \$79,997.99
- File #46848

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2. Contract with Gershenson Construction Co., Inc. for the Jackson Street Carriage Path Project in an Amount not to Exceed \$75,444.00

Director of Public Works Debra Aylsworth responded to an inquiry of Councilmember Dave Beckering that there was \$69,000.00 budgeted for this Project, and that the remainder of the funding was provided by the contingency fund.

File #46849

3. Contract with West Group for a Three-Year Contract for Electronic Legal Research and Data Base Access

File #46850

4. Contract with CBB (Crawford, Bunte, Brammeier) to Complete a Comprehensive Central Business District Parking Study in the Amount of \$72,830.00

REMOVED FROM THE CONSENT AGENDA

- F. Preliminary Plats
None

- G. Miscellaneous

1. Approval of a Conditional Use Permit for the Purpose a Vehicle Restoration/Body Shop with Associated Pain Booth at 2239 North Third Street ***(This item should be removed from the Consent Agenda and a Separate Vote Taken on Approval of the Conditional Use Permit)***

REMOVED FROM THE CONSENT AGENDA

2. Approval of Liquor License Application for Tonya Estrada dba Tequila Located at 2641 Muegge Road

File #46710

3. Approval of Liquor License Application for Bradley Bax dba TGI Friday's Located at 2000 First Capitol Drive

File #46710

4. Report of Court Administrator of Monies Collected and Deposited during the Month of May 2008

File #46743

5. Approval of an Electronic Message Sign at 2300 West Clay Street

File #46851

6. Approval of Liquor License Application for Nicholas K. Hamilton dba Lloyd & Harry's Located at 208 North Main Street

REMOVED FROM THE CONSENT AGENDA

7. Authorization to Negotiate an Engineering Services Contract with Bax Engineering for the Design of the Elm Street Widening Improvements

File #46852

8. Street Status Report

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File #46853

9. Approval of Arts and Culture Commission Expenditures

File #46776

10. May Investment Report

File #46737

11. Approval of an Administrative Services Agreement with Group Health Plan, Inc. to Act as Administrative Services Provider for the City's Self-Funded Employee Health Plan

File #46854

ITEMS REMOVED FROM CONSENT AGENDA

Item 8.E.4. Contract with CBB (Crawford, Bunte, Brammeier) to Complete a Comprehensive Central Business District Parking Study in the Amount of \$72,830.00

A motion was made by BOB KNEEMILLER to withdraw Item 8.E.4. from Council consideration. LARRY MUENCH seconded the motion. All voted in favor, motion passed. Councilmember Bob Kneemiller made the following suggestions as to the process for proceeding with the Central Business District Parking Study: 1) Determine the status of the recommendations made by a previous parking study, i.e., which items were implemented and which items were not implemented; 2) receive input from the property owners in the area as to the need for a parking study; 3) delete the residential areas of the Central Business District from the parking study; 4) include in the RFP language which requires the contractor to provide specific recommendations; and 5) receive input from the organized groups in the area on the RFP.

File #46855

Item 8.G.1. Approval of a Conditional Use Permit for the Purpose a Vehicle Restoration/Body Shop with Associated Pain Booth at 2239 North Third Street

Item 8.G.1 was removed from the Consent Agenda previously and advanced on the agenda as reported on Pages 151 and 152 of this record.

File #46856

Item 8.G.6. Approval of Liquor License Application for Nicholas K. Hamilton dba Lloyd & Harry's Located at 208 North Main Street

Vice President of the Council Larry Muench requested that this item be considered following discussion in Closed Session. Council action on Item 8.G.6. is reported on Page 167 of this record.

File #46710

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REPORT OF THE MAYOR

Presentation of Information Technology Director Kathy Conley

Information Technology Director Kathy Conley gave a power point presentation relative to the activities of the Information Technology Department.
File #46857

Appointments to Boards and Commissions

A motion was made by LARRY MUENCH to approve the following appointments to Boards and Commissions as presented by the Honorable Mayor Patricia M. York:

Board of Public Works: Reappointment of Brenda Suit and Kevin Toeppen for 3 year terms ending in June, 2011.

Landmarks Board: Reappointment of Robert Adams for a 3 year term ending in February, 2011.

Parks and Recreation Board: Reappointment of Matthew Seeds, Don Morgan and Don Borgmeyer for 3 year terms ending in May, 2011.

RON STIVISON seconded the motion. A roll call vote was taken, with the following results: "Aye": Ermeling, Feldman, Kneemiller, Muench, Reese, Stivison, and Beckering. "Nay": None. Absent: Klinghammer, Veit, and Weller. Motion passed.
File #46729

Written and/or Verbal Messages from the Mayor

2009 Bicentennial Committee. Mayor Patricia M. York requested that Councilmembers provide names of residents within their Wards to serve on the 2009 Bicentennial Committee.

Shakespeare in the Park. Mayor Patricia M. York announced that Shakespeare in the Park will be featuring *Taming of the Shrew* on June 20-22 and June 27-29 at the south end of Frontier Park.

Bum's Hollow Concert. Mayor Patricia M. York announced that the Bum's Hollow Concert is scheduled for Saturday, June 21, 2008, at 8:00 p.m. in Blanchette Park.

Historic Time Travelers. Mayor Patricia M. York announced that the Historic Time Travelers will appear on South Main Street on Saturday, June 21, 2008, (11:00 a.m. – 4:00 p.m.), and on Sunday, June 22, 2008, (noon – 4:00 p.m.)

Oldies Night. Mayor Patricia M. York announced that Chubby Checker will perform at the Bottleneck Blues Bar at Ameristar on Thursday, June 19, 2008.

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Music on Main. Mayor Patricia M. York announced that Music on Main is scheduled for June 18, 2008, in the 100 & 200 Blocks of North Main Street.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Written and/or Verbal Messages from Councilmember

Party in the Park. Councilmember Bob Kneemiller thanked the Parks & Recreation Department and the Public Works Department for their efforts in making the Party in the Park held on June 6, 2008, at Wapelhorst Park a success.

St. Louis Symphony Concert. Councilmember Bob Kneemiller stated that the St. Louis Symphony Concert held on Saturday, June 14, 2008, was a success.

Former Councilmember Bob Hoepfner. President of the Council Jerry Reese recognized Former Councilmember Bob Hoepfner for his dedication to the City of St. Charles.

APPROVAL OF CLOSED MINUTES

A motion was made by LARRY MUENCH to approve the following Closed Session Minutes. DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Feldman, Kneemiller, Muench, Reese, Stivison, Beckering, and Ermeling. "Nay": None. Absent: Klinghammer, Veit, and Weller. Motion passed.

- A. Regular Council Meeting of April 1, 2008, relative to legal actions, causes of action, or litigation (RSMo 610.021.1), and preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9)
- B. Special Council Meeting of April 22, 2008, relative to leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610-021.2), and hiring, firing, disciplining or promoting of particular employees when information relative to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
- C. Special Council Meeting of May 6, 2008, relative to leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610-021.2), and hiring, firing, disciplining or promoting of particular employees when information relative to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
- D. Special Council Meeting of May 13, 2008, relative to legal actions, causes of action, or litigation (RSMo. 610.021.1); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo. 610.021.12)

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- E. Regular Council Meeting of May 13, 2008, relative to legal actions, causes of action, or litigation (RSMo. 610.021.1); leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610-021.2); hiring, firing, disciplining or promoting of particular employees when information relative to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo. 610.021.12)
- F. Council Work Session of May 27, 2008, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2); hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)
- G. Regular Council Meeting of June 3, 2008, session relative to legal actions, causes of action, or litigation (RSMo. 610.021.1); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo. 610.021.12)

RECESS INTO CLOSED SESSION

A roll call vote was taken to recess into Closed Session relative to legal actions, causes of action, or litigation (RSMo 610.021.1); leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2); preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9) and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12), at 8:35 p.m., with the following results: "Aye": Kneemiller, Muench, Reese, Stivison, Beckering, Ermeling, and Feldman. "Nay": None. Absent: Viet, Weller, and Klinghammer. Motion passed.

RECONVENE IN OPEN SESSION

The City Council reconvened in Open Session at 9:15 p.m., in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Jerry Reese, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Bob Kneemiller, Larry Muench, and Ron Stivison. Absent: Michael Klinghammer, Richard Veit, and Michael Weller.

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Item 8.G.6. Approval of Liquor License Application for Nicholas K. Hamilton dba
Lloyd & Harry's Located at 208 North Main Street

Nicholas K. Hamilton, Applicant, responded to an inquiry of Councilmember Laurie Feldman that there will not be direct access from their building into 204 North Main Street; and responded to inquiries of Councilmember Laurie Feldman relative to the serving of food at Lloyd & Harry's. A motion was made by LARRY MUENCH to approve the liquor license application for Nicholas K. Hamilton dba Lloyd & Harry's located at 208 North Main Street. RON STIVISON seconded the motion. A roll call vote was taken, with the following results: "Aye": Muench, Reese, Stivison, Beckering, Ermeling, Feldman, and Kneemiller. "Nay": None. Absent: Veit, Weller, and Klinghammer.
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The Regular Council Meeting was adjourned at 9:20 p.m.

July 1, 2008
Date Approved

Maureen L. McCoy
City Clerk

Jerry Reese
Jerry Reese, Presiding Officer